#### PUBLIC NOTICE

#### **CHARLESTON DISTRICT, CORPS OF ENGINEERS** 69A Hagood Avenue **Charleston, SC 29403-5107**

and

THE S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL Office of Ocean and Coastal Resource Management 1362 McMillan Avenue, Suite 400 North Charleston, South Carolina 29405

REGULATORY DIVISION

Refer to: P/N SAC-2008-00066 (Modification)

June 26, 2019

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), Sections 401 of the Clean Water Act (33 U.S.C. 1344), and the South Carolina Coastal Zone Management Act (48-39-10 et.seq.), an application has been submitted to the Department of the Army and the S.C. Department of Health and Environmental Control by

> Mr. Christopher Butler **Grey Ghost Properties** c/o Mr. Robert Semmes **Applied Technology & Management** 941 Houston Northcutt Boulevard, Suite 201 Mt. Pleasant, South Carolina 29464

for a permit to construct a marina in

#### **Battery Creek**

at 601 Paris Avenue at the former SC Ports Authority Property in Port Royal, Beaufort County, South Carolina (Latitude: 32.37439°, Longitude: -80.69508°), (Parris Island Quad).

In order to give all interested parties an opportunity to express their views

#### NOTICE

is hereby given that written statements regarding the proposed work will be received by the **Corps** until

15 Days from the Date of this Notice,

and SCDHEC will receive written statements regarding the proposed work until

#### 30 Days from the Date of this Notice

from those interested in the activity and whose interests may be affected by the proposed work.

Please note that Corps and OCRM permits were previously issued in 2009, but the marina was not constructed. The project described in this public notice is a proposed modification to the existing permit.

The proposed work consists of the construction of a wet slips, side-tie dockage, drystack, drystack storage launch pier, drystack storage queuing docks, a wave attenuator, a marina store and boaters' facilities and the re-configuration of existing shrimp docks. In detail, the proposed work consists of the following activities:

<u>Drystack Launch Pier and Queuing Docks</u>: The construction of a 130' X 50' fixed pier with one (1) 70' X 10', 50' X 10' and 260' X 10' floating L-shaped dock and one (1) 250' X 6' wide straight floating dock.

<u>Drystack:</u> The construction of a drystack boat storage facility in uplands that will have a storage capacity of 250 boats.

<u>Shrimp Docks</u>: Demolition of the existing shrimp docks and the construction and reconfiguration of the shrimp docks to include a 414' X 8' main dock with four (4) 120' X 8' finger piers.

Wave Attenuator, Wetslips, Side-Tie Docks and Floating Jet-Docks: The construction of an 80' long gangway connecting from the existing wharf to a 226' X 21' floating wave attenuator with four (4) 60' X 6' finger piers that would create three (3) 60' double loaded slips, one (1) 200' X 16' side-tie floating dock, one (1) 250' X 16' side-tie floating dock, and a 12' X 20' gathering area floating dock. The floating attenuator dock will connect to a 1,096' X 14' main floating side-tie dock that includes a fuel and pump-out dock area and six (6) separate dock fingers constructed landward of the main floating dock. Dock #1 and Dock #2 each consist of a 90' X 10' and 110' X 10' T-head with two (2) 50' X 5' finger piers creating four (4) 50' double loaded slips. Dock #3 consists of a 175' X 10' and 100' X 10' T-head with six (6) 45' X 5' finger piers creating eight (8) 45' double loaded slips. Dock #4 consists of 187' X 10' and 90' X 10' T-head with eight (8) 40' X 5' finger piers creating eight (8) 40' double loaded slips and two (2) 40' single loaded slips. Dock #5 and Dock #6 each consist of a 205' X 10' and 80' x 10' T-head with eight (8) 35' X 5' finger piers creating ten (10) 35' double loaded slips. The proposed project also includes the construction of a gangway from the existing wharf to a 390' X 10' floating dock with twenty-six (26) 30' floating jet docks.

<u>Boaters' Building and Marina Store</u>: The construction of a boaters' building on the existing wharf. The boaters' building would include a marina manager's office, marina offices, lounge area, restrooms and a store. The existing warehouse on the wharf will remain.

The proposed modification would create 134 dedicated wetslips and 2,011 linear feet of side-tie dockage for a total of 214 slips (on a 25' basis for the side-tie). The proposed arrangement for the wetslip marina includes an updated slip mix suggested by the projected market and twenty-six (26) jet docks. The marina will also include dockside utilities (power and water), a fuel dock and pump stations.

Please note that the application includes two (2) potential anchoring methods. The first anchoring method, which is the applicant's preferred method of anchoring the marina floating docks, is by use of anchor piles. However, the preliminary design studies, including geotechnical information, have not yet been completed. If the soils are poor, the alternative method of anchoring the marina would include chains and mass helical screw anchors. According to the applicant, this alternative method may be more feasible from an engineering and cost perspective. The alternative method would involve the installation of a minimum of 100 concrete block or helical anchors with an undetermined number of anchor chains. However, the anchoring system design has not yet been completed. The applicant anticipates movement of the marina with the alternative anchoring system should be limited to less than 15 feet channelward of the proposed floating structures. The

applicant has provided typical drawings for both the preferred anchor pile method and the alternative anchor and chain method.

The width of Battery Creek at the proposed project location ranges from 835' to 985' at Mean Low Water. The proposed structures would encroach between 250' to 375' into the river, occupying approximately 37% of the width of Battery Creek.

The marina slips will be leased on a first-come-first-served basis for long-term dockage (annual and seasonal leases), short-term dockage (daily transient dockage), and for day-use boaters visiting the development retail, food and beverage, and entertainment facilities. It is extremely likely that the future marina operator will allow live-a-boards in the marina as they provide additional security and incentive for other lease holders to comply with clean marina directives. Moorings will be available on a leased basis only; no slips will be sold.

The purpose of the proposed project is to provide for in-water dockage of local shrimp boats, in-water queuing of recreational vessels stored in the proposed drystack storage facility, and to modify the previously permitted wetslip marina to meet the current and projected future market for recreational vessels in Port Royal, South Carolina. As stated by the applicant, the applicant has minimized impacts by shifting the proposed structures away from the shoreline to avoid the need for regular dredging activities or impacts to emergent aquatic vegetation. In addition, floating docks require less piling or other anchoring structure than fixed piers, so pile driving is minimized and impacts to riverbed reduced. No compensatory mitigation is being proposed.

#### NOTE: This public notice and associated plans are available on the Corps' website at: <a href="http://www.sac.usace.army.mil/Missions/Regulatory/PublicNotices">http://www.sac.usace.army.mil/Missions/Regulatory/PublicNotices</a>

The District Engineer has concluded that the discharges associated with this project, both direct and indirect, should be reviewed by the South Carolina Department of Health and Environmental Control in accordance with provisions of Section 401 of the Clean Water Act. As such, this notice constitutes a request, on behalf of the applicant, for certification that this project will comply with applicable effluent limitations and water quality standards. The work shown on this application must also be certified as consistent with applicable provisions of the Coastal Zone Management Program (15 CFR 930). This activity may also require evaluation for compliance with the S. C. Construction in Navigable Waters Permit Program. State review, permitting and certification is conducted by the S. C. Department of Health and Environmental Control. The District Engineer will not process this application to a conclusion until such certifications are received. The applicant is hereby advised that supplemental information may be required by the State to facilitate the review.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Implementation of the proposed project would impact approximately 1.5 acres of open tidal waters above estuarine substrates and adjacent to emergent wetlands utilized by various life stages of species comprising the shrimp, and snapper-grouper management complexes. The District Engineer's initial determination is that the proposed action would not have a substantial individual or cumulative adverse impact on EFH or fisheries managed by the South Atlantic Fishery Management Council and the National Marine Fisheries Service (NMFS). The District Engineer's final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

Pursuant to the Section 7 of the Endangered Species Act of 1973 (as amended), the Corps has reviewed the project area, examined all information provided by the applicant, and the District Engineer has determined, based on the most recently available information that the Frosted flatwoods salamander (Ambystoma cingulatum), American wood wtork (Mycteria Americana), piping plover (Chadrius melodus), red-cockaded woodpecker (Picoides borealis), red knot (Calidris canutus rufa), shortnose sturgeon (Acipenser brevirostrum), Atlantic sturgeon (Acipenser oxyrinchus), Northern long-eared bat (Myotis septentrionalis), finback whale (Balaenoptera physalus), humpback whale (Megaptera novaeangliae), right whale (Eubalaena glacialis), West Indian manatee (Trichechus manatus), green sea turtle (Chelonia mydas), Kemp's Ridley sea turtle (Lepdochelys kempii), leatherback sea turtle (Dermochelys coriacea), loggerhead sea turtle (Caretta caretta), Canby's dropwort (Oxypolis canbyi), and pondberry (Lindera melissifolia) Federally endangered or threatened species is present in the vicinity of the project. The applicant is proposing two potential methods of anchoring the floating structures. The preferred method of anchoring the floating structures with anchor piles may affect, but is not likely to adversely affect the West Indian manatee and will have no effect on the remaining species listed above. The proposed project with the alternative anchoring method with anchors and chains may affect, but is not likely to adversely affect the West Indian manatee, sea turtles, shortnose sturgeon and Atlantic sturgeon and will have no effect on the remaining species listed above. In addition, the proposed project, regardless of anchoring method, will not result in the destruction or adverse modification of designated or proposed critical habitat.

Pursuant to Section 106 of the National Historic Preservation Act (NHPA), this public notice also constitutes a request to Indian Tribes to notify the District Engineer of any historic properties of religious and cultural significance to them that may be affected by the proposed undertaking.

In accordance with Section 106 of the NHPA, the District Engineer has consulted South Carolina ArchSite (GIS), for the presence or absence of historic properties (as defined in 36 C.F.R. 800.16)(/)(1)), and has initially determined that no historic properties are present; therefore, there will be no effect on historic properties. To ensure that other historic properties that the District Engineer is not aware of are not overlooked, this public notice also serves as a request to the State Historic Preservation Office and any other interested parties to provide any information they may have with regard to historic properties. This public notice serves as a request for concurrence within 30 days from the SHPO (and/or Tribal Historic Preservation Officer).

The District Engineer's final eligibility and effect determination will be based upon coordination with the SHPO and/or THPO, as appropriate and required and with full consideration given to the proposed undertaking's potential direct and indirect effects on historic properties within the Corps-identified permit area.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

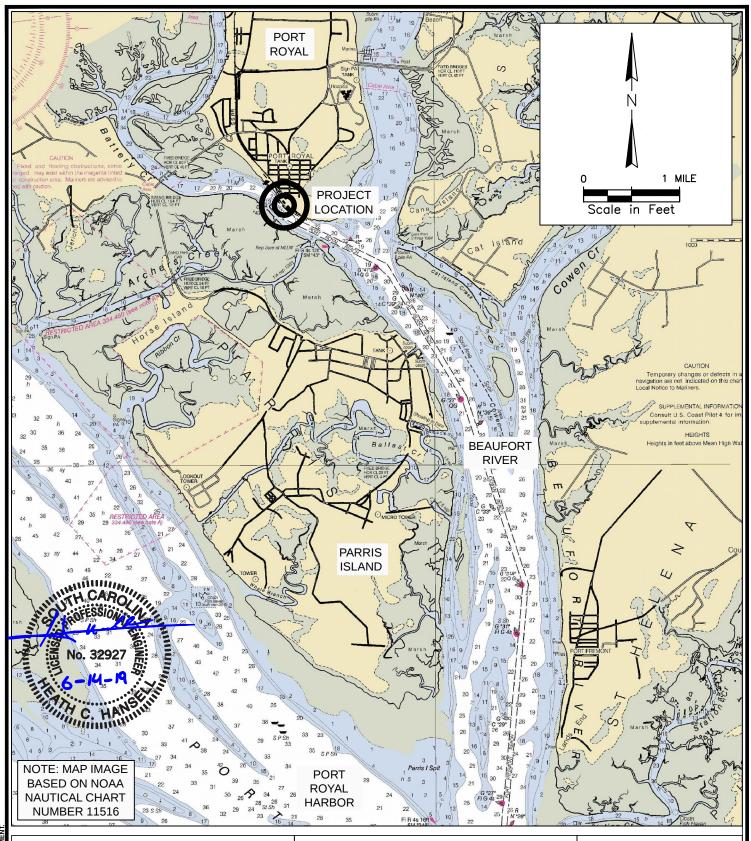
The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. The benefit which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered

including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest. In cases of conflicting property rights, the Corps cannot undertake to adjudicate rival claims.

The Corps is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for this project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity. Please submit comments in writing, identifying the project of interest by public notice number, to the following address:

U.S. Army Corps of Engineers ATTN: REGULATORY DIVISION 69A Hagood Avenue Charleston, SC 29403-5107

If there are any questions concerning this public notice, please contact Tracy D. Sanders, Project Manager, at (843) 329-8190, toll free at 1-866-329-8187, or by email at Tracy.D.Sanders@usace.army.mil.



PROJECT: Port Royal Harbor Marina

80°41'35.70"W

WATERBODY: Battery Creek
COUNTY: Beaufort
STATE: South Carolina
LATITUDE: 32°22'21.32"N

LONGITUDE:

LOCATION MAP

Requested by: Grey Ghost Properties LLC

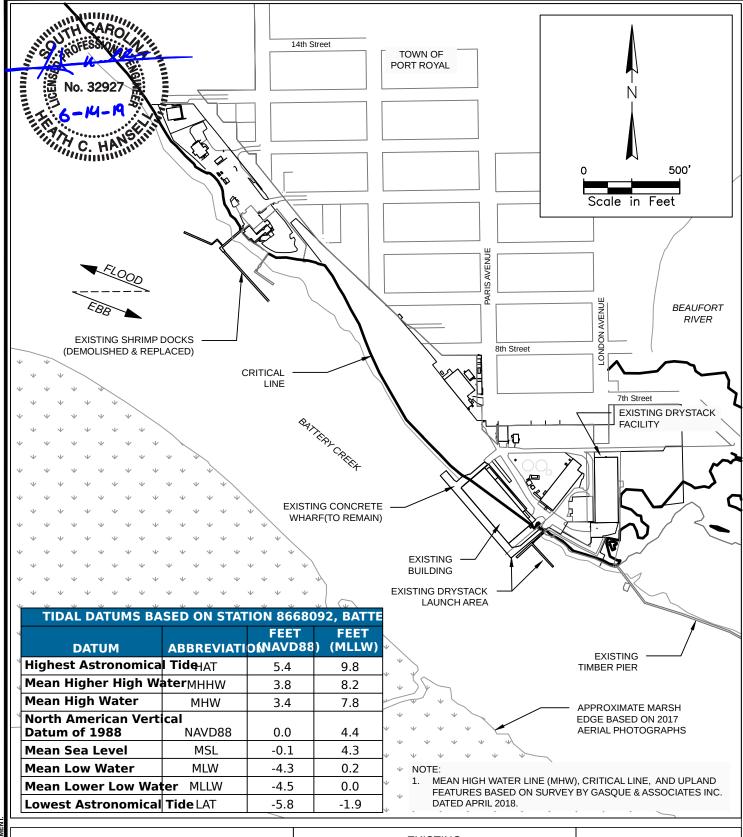
Project Address: 601 Paris Ave, Port Royal, SC

Parcel ID: R113 010 000 0075 0000



24-May-2019 SHEET 1

Maina FeasibilityDWG\000-Permit, Plans\18-3194-Port, Royal\_Permit, Plans, REV07-dwg (1) 6/14/19
ID DESIGNS ARE STRICTLY CONFIDENTIAL AND PROTECTED BY INTERNATIONAL COPYRIGHT LAW. DETAILS MUST NOT BE DISCLOSED, REPRODUCED OR COMMUNICATED TO A 3rd PARTY IN ANY FORM OR MANNER WITHOUT THE PRIOR WRITTEN APPROVAL.



PROJECT: Port Royal Harbor Marina

WATERBODY: Battery Creek
COUNTY: Beaufort
STATE: South Carolina
LATITUDE: 32°22'21.32"N
LONGITUDE: 80°41'35.70"W

EXISTING CONDITIONS

Requested by: Grey Ghost Properties LLC

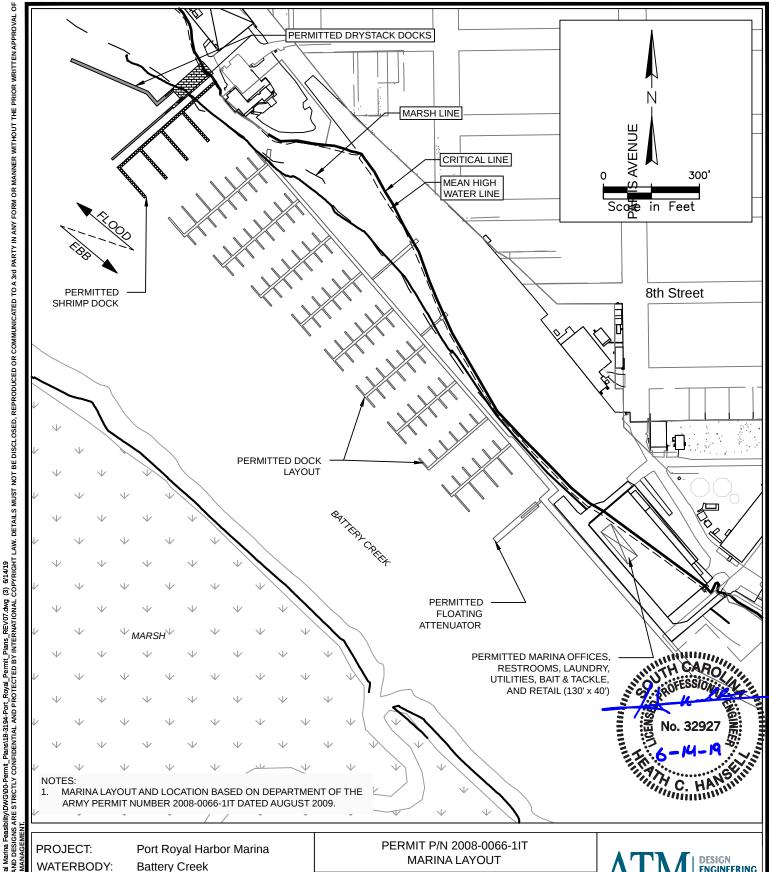
Project Address: 601 Paris Ave, Port Royal, SC

Parcel ID: R113 010 000 0075 0000



24-May-2019 SHEET 2

Marina ReasibilityDWG/00-Permit, Plans\18-3194-Port, Royal\_Permit, Plans, REV07-dwg (2) 61/4/19
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COUNTY:

**Battery Creek** 

STATE: LATITUDE: Beaufort South Carolina 32°22'21.32"N

LONGITUDE:

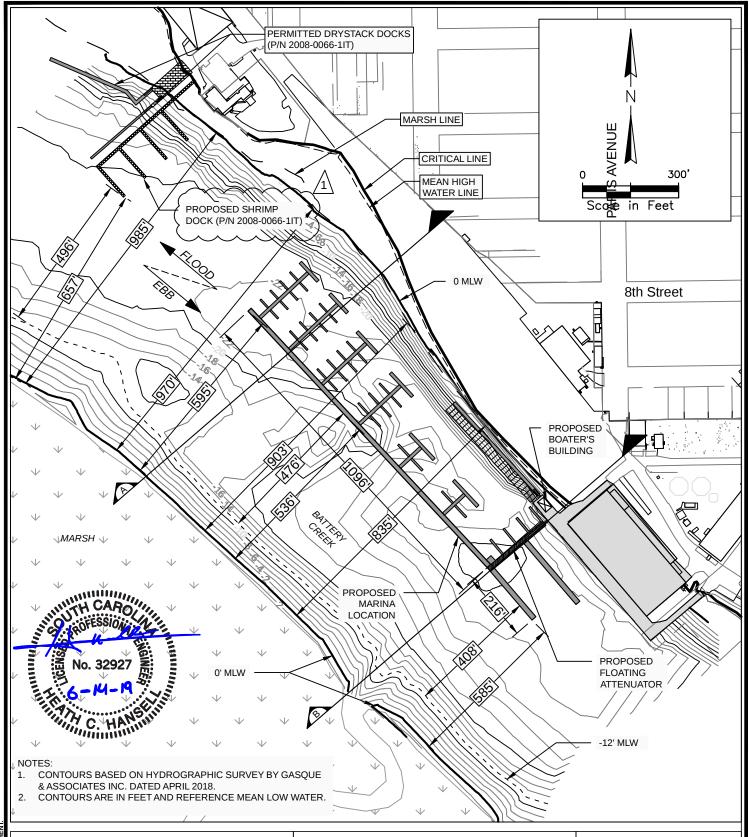
80°41'35.70"W

Requested by: Grey Ghost Properties LLC

Project Address: 601 Paris Ave, Port Royal, SC

Parcel ID: R113 010 000 0075 0000





PROJECT: Port Royal Harbor Marina

80°41'35.70"W

WATERBODY: Battery Creek
COUNTY: Beaufort
STATE: South Carolina
LATITUDE: 32°22'21.32"N

LONGITUDE:

#### PROPOSED IMPROVEMENTS

Requested by: Grey Ghost Properties LLC

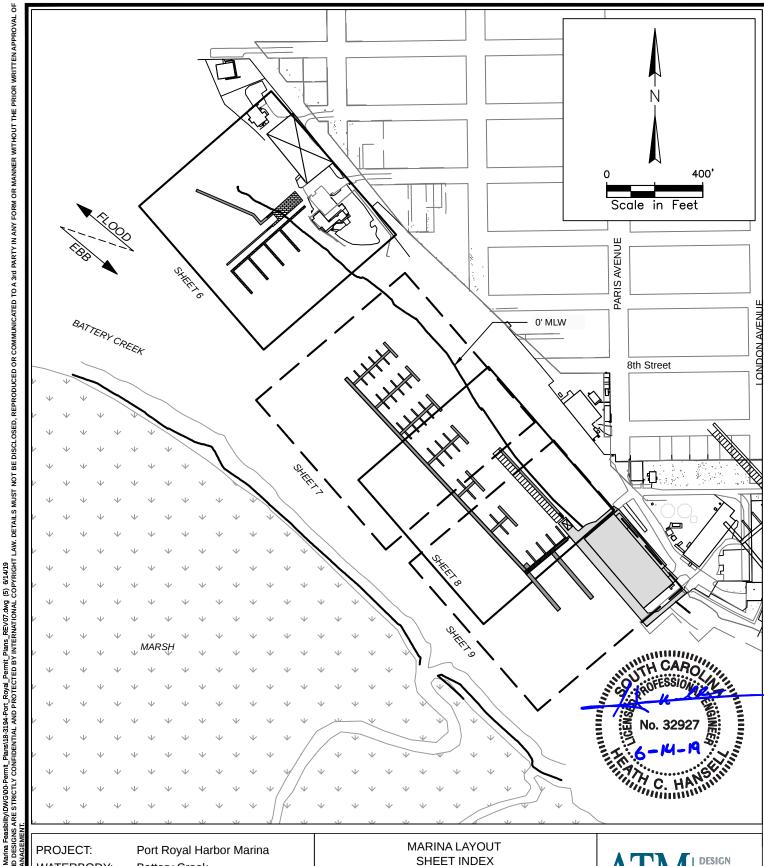
Project Address: 601 Paris Ave, Port Royal, SC

Parcel ID: R113 010 000 0075 0000



/1\ REVISED 14-June-2019 24-May-2019 SHEET 4

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PROJECT:

Port Royal Harbor Marina

WATERBODY: COUNTY:

**Battery Creek** 

STATE: LATITUDE:

LONGITUDE:

Beaufort South Carolina 32°22'21.32"N

80°41'35.70"W

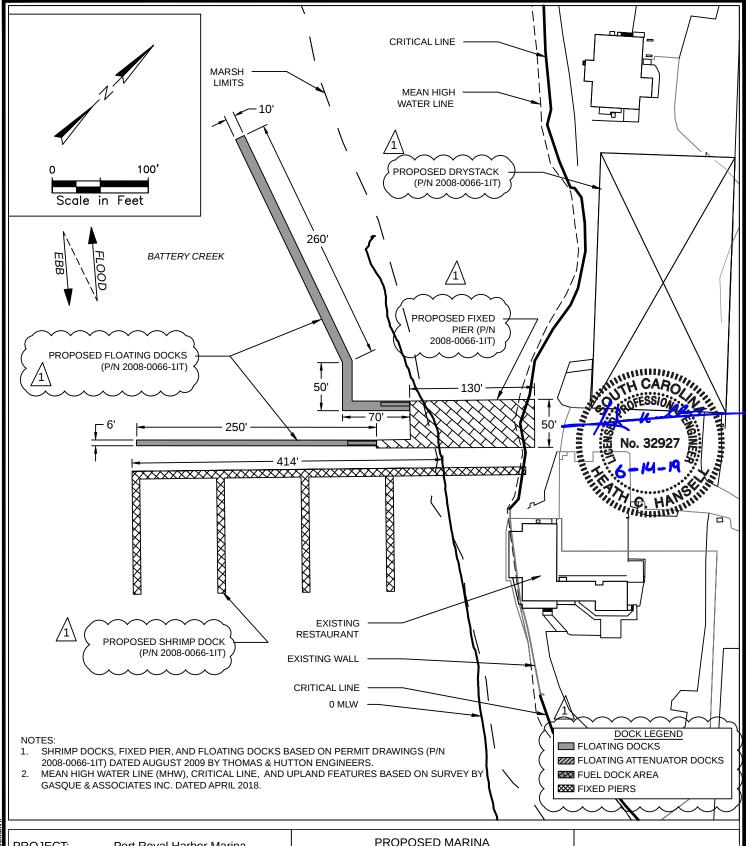
MARINA LAYOUT SHEET INDEX

Requested by: Grey Ghost Properties LLC

Project Address: 601 Paris Ave, Port Royal, SC

Parcel ID: R113 010 000 0075 0000





PROJECT: Port Royal Harbor Marina WATERBODY: **Battery Creek** 

COUNTY: Beaufort STATE: South Carolina LATITUDE: 32°22'21.32"N LONGITUDE: 80°41'35.70"W PROPOSED MARINA SHRIMP DOCK AREA

Requested by: Grey Ghost Properties LLC

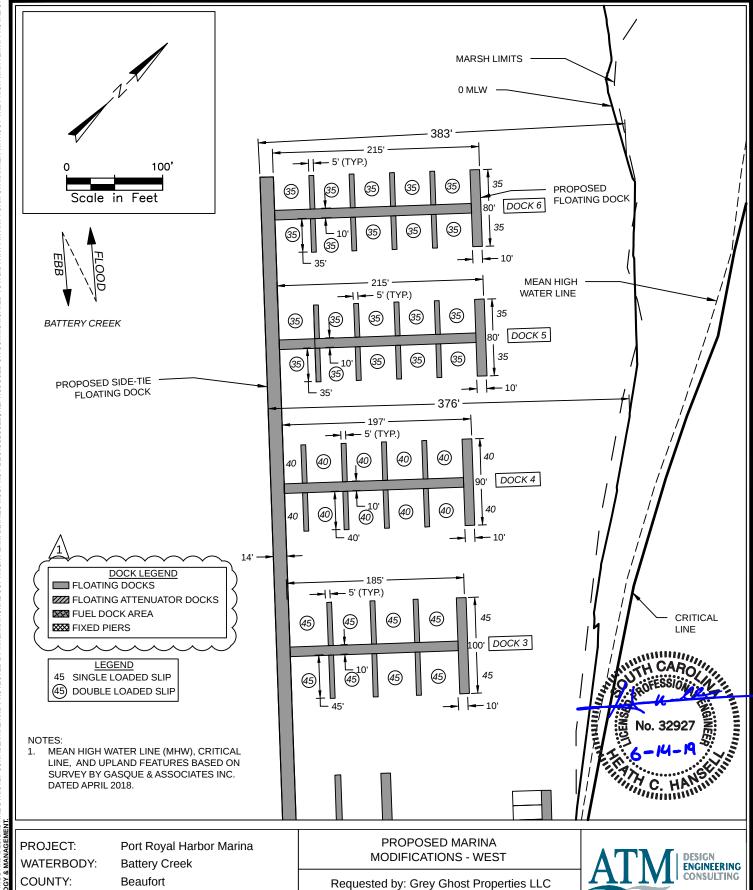
Project Address: 601 Paris Ave, Port Royal, SC

Parcel ID: R113 010 000 0075 0000



REVISED 14-June-2019 24-May-2019

SHEET 6



Project Address: 601 Paris Ave, Port Royal, SC

Parcel ID: R113 010 000 0075 0000

REVISED 14-June-2019

24-May-2019

SHEET 7

Marina FeasibilityDWG00-Permit, Plans\18-3194-Port, Royal Permit, Plans, REV07-dwg (7) 614/19
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STATE:

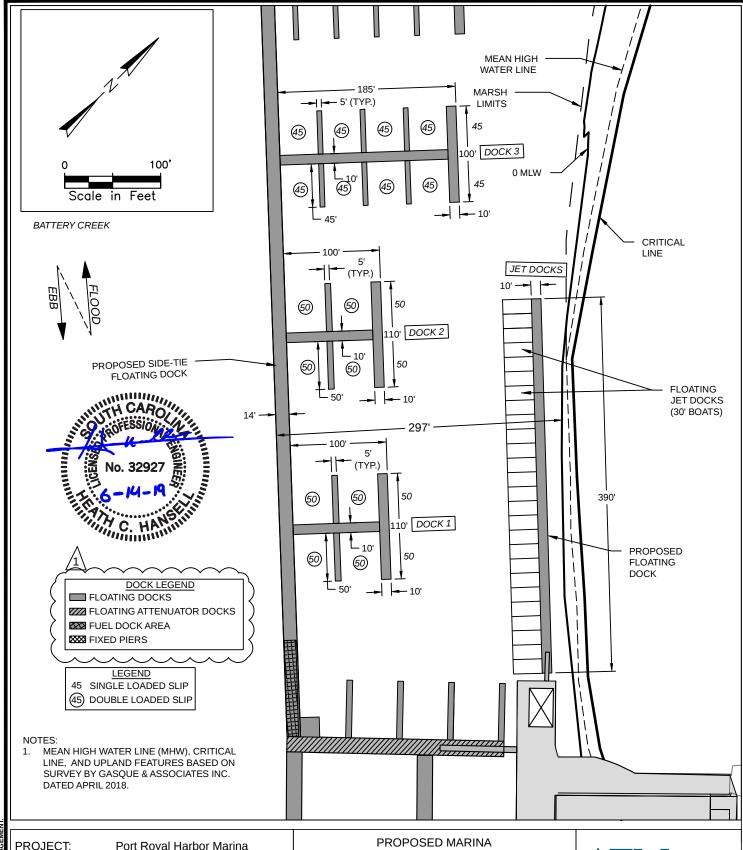
LATITUDE:

LONGITUDE:

South Carolina

32°22'21.32"N

80°41'35.70"W



PROJECT: Port Royal Harbor Marina WATERBODY: **Battery Creek** 

COUNTY: Beaufort STATE: South Carolina LATITUDE: 32°22'21.32"N LONGITUDE: 80°41'35.70"W

Marina FeasibilityDWG/00-Permit, Plans\18-3194-Port, Royal, Permit, Plans, REV07-dwg (8) 61/4/19
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**MODIFICATIONS - CENTER** 

Requested by: Grey Ghost Properties LLC

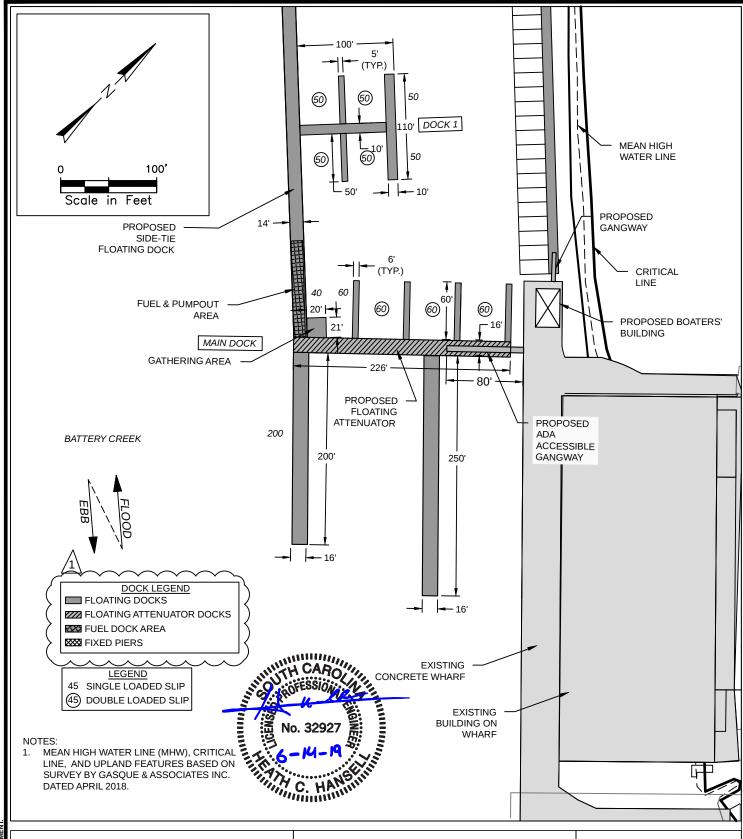
Project Address: 601 Paris Ave, Port Royal, SC

Parcel ID: R113 010 000 0075 0000



24-May-2019

SHEET 8



PROJECT: Port Royal Harbor Marina

WATERBODY: **Battery Creek** COUNTY: Beaufort STATE: South Carolina LATITUDE: 32°22'21.32"N LONGITUDE: 80°41'35.70"W

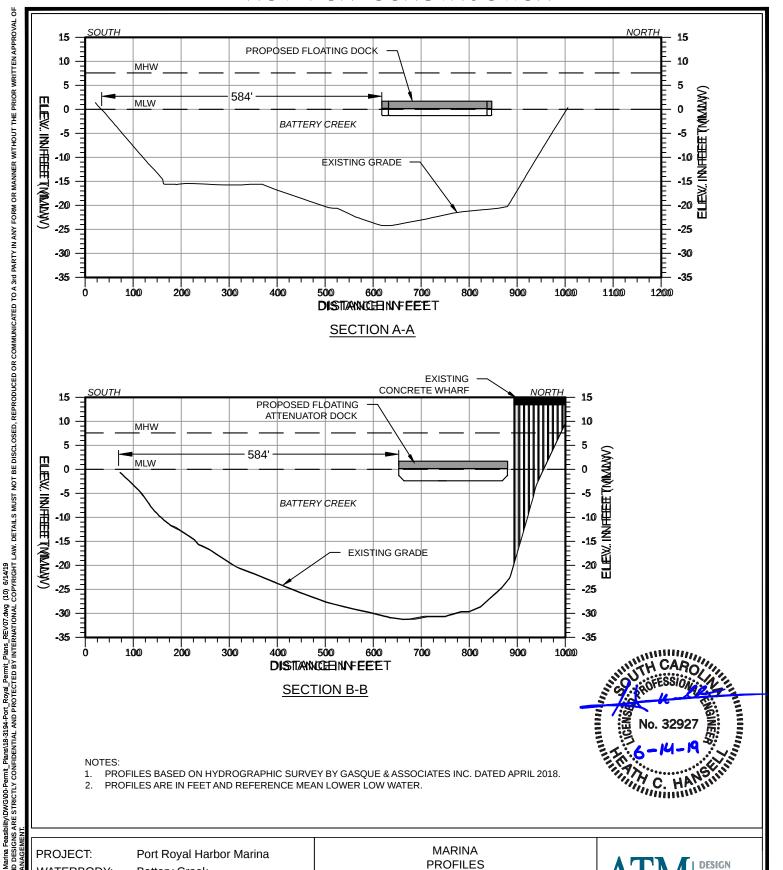
PROPOSED MARINA **MODIFICATIONS - EAST** 

Requested by: Grey Ghost Properties LLC

Project Address: 601 Paris Ave, Port Royal, SC

Parcel ID: R113 010 000 0075 0000





PROJECT: Port Royal Harbor Marina

WATERBODY: **Battery Creek** COUNTY: Beaufort STATE: South Carolina LATITUDE: 32°22'21.32"N LONGITUDE: 80°41'35.70"W

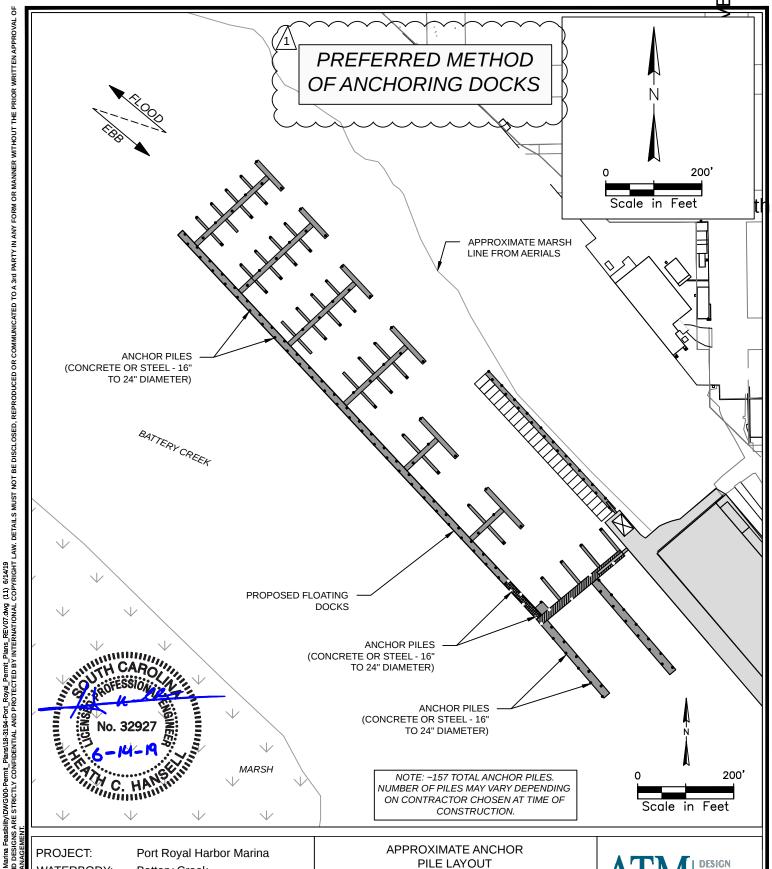
**MARINA PROFILES** 

Requested by: Grey Ghost Properties LLC

Project Address: 601 Paris Ave, Port Royal, SC

Parcel ID: R113 010 000 0075 0000





PROJECT: Port Royal Harbor Marina

**Battery Creek** 

COUNTY: Beaufort STATE: South Carolina LATITUDE: 32°22'21.32"N LONGITUDE: 80°41'35.70"W

WATERBODY:

APPROXIMATE ANCHOR PILE LAYOUT

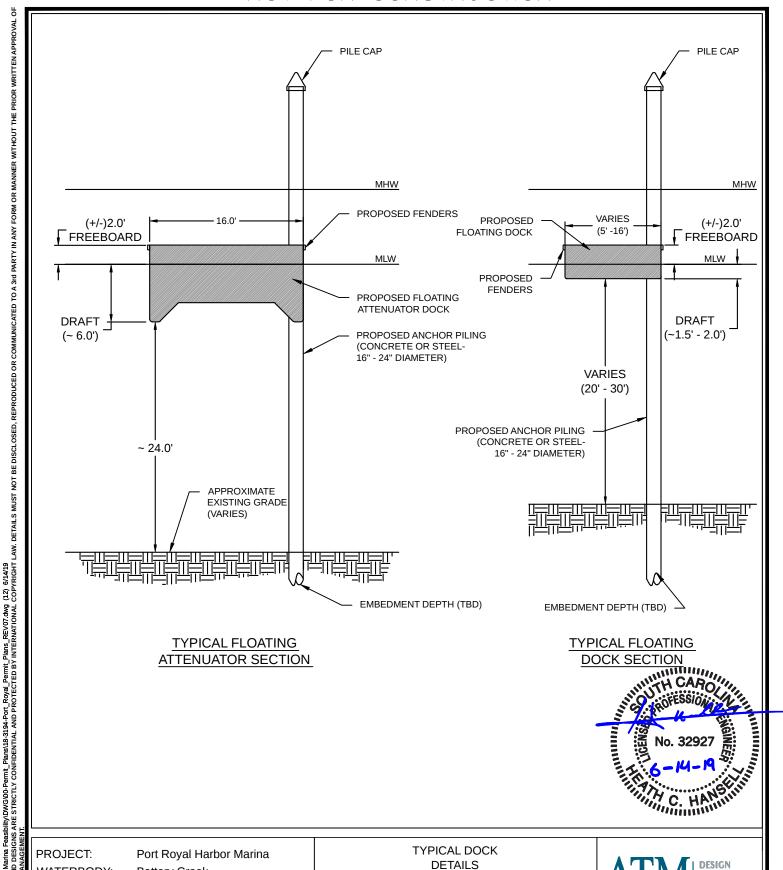
Requested by: Grey Ghost Properties LLC

Project Address: 601 Paris Ave, Port Royal, SC

Parcel ID: R113 010 000 0075 0000



REVISED 14-June-2019 24-May-2019 SHEET 11



PROJECT:

Port Royal Harbor Marina

WATERBODY: COUNTY:

**Battery Creek** 

Beaufort

STATE: LATITUDE:

South Carolina 32°22'21.32"N

LONGITUDE:

80°41'35.70"W

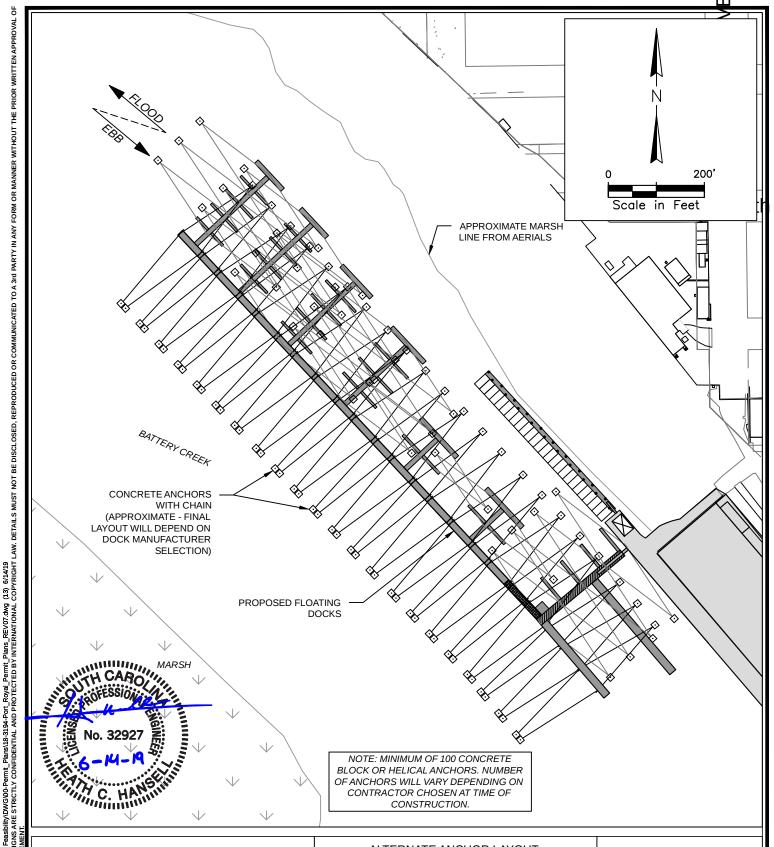
TYPICAL DOCK **DETAILS** 

Requested by: Grey Ghost Properties LLC

Project Address: 601 Paris Ave, Port Royal, SC

Parcel ID: R113 010 000 0075 0000





PROJECT: Port Royal Harbor Marina

WATERBODY: Battery Creek
COUNTY: Beaufort
STATE: South Caroling

STATE: South Carolina LATITUDE: 32°22'21.32"N LONGITUDE: 80°41'35.70"W ALTERNATE ANCHOR LAYOUT CHAIN AND CONCRETE BLOCK

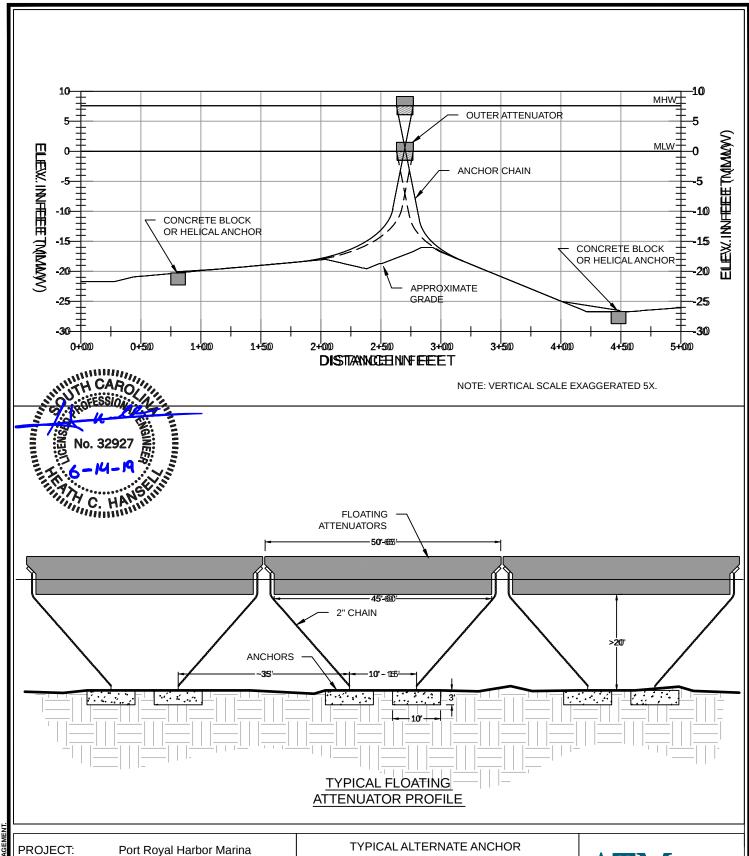
Requested by: Grey Ghost Properties LLC

Project Address: 601 Paris Ave, Port Royal, SC

Parcel ID: R113 010 000 0075 0000



24-May-2019 SHEET 13 S



PROJECT: WATERBODY:

Royal Marina FeasibiliyIDWG00-Permit, Plans118-3194-Porf, Royal, Permit, Plans REV07.dwg (14) 6/14/19
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**Battery Creek** COUNTY: Beaufort STATE: South Carolina

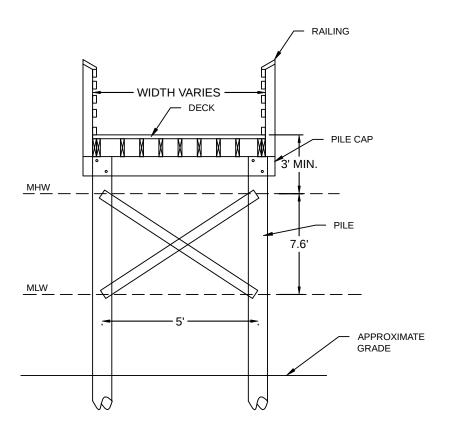
LATITUDE: 32°22'21.32"N LONGITUDE: 80°41'35.70"W LAYOUT DETAILS

Requested by: Grey Ghost Properties LLC

Project Address: 601 Paris Ave, Port Royal, SC

Parcel ID: R113 010 000 0075 0000







NOTE: SHRIMP DOCK DETAILS TO MATCH EXISTING PERMIT (P/N 2008-0066-1IT).

PROJECT: Port Royal Harbor Marina

80°41'35.70"W

WATERBODY: Battery Creek
COUNTY: Beaufort
STATE: South Carolina
LATITUDE: 32°22'21.32"N

LONGITUDE:

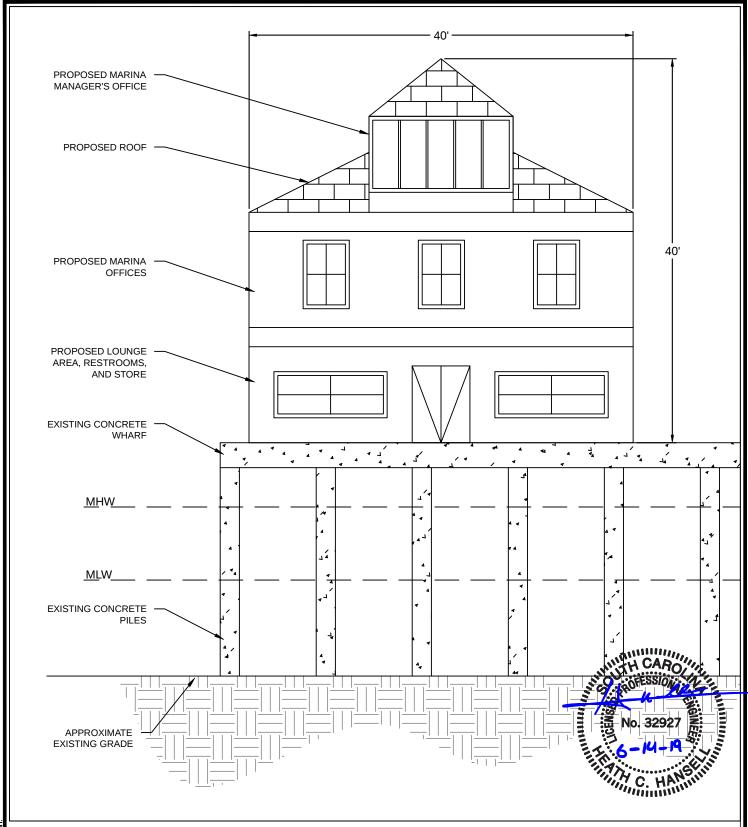
TYPICAL SHRIMP DOCK DETAILS

Requested by: Grey Ghost Properties LLC

Project Address: 601 Paris Ave, Port Royal, SC

Parcel ID: R113 010 000 0075 0000





PROJECT:

Port Royal Harbor Marina

WATERBODY:

**Battery Creek** 

COUNTY: STATE: Beaufort South Carolina

LATITUDE: LONGITUDE: 32°22'21.32"N 80°41'35.70"W TYPICAL BOATERS'
BUILDING DETAILS

Requested by: Grey Ghost Properties LLC

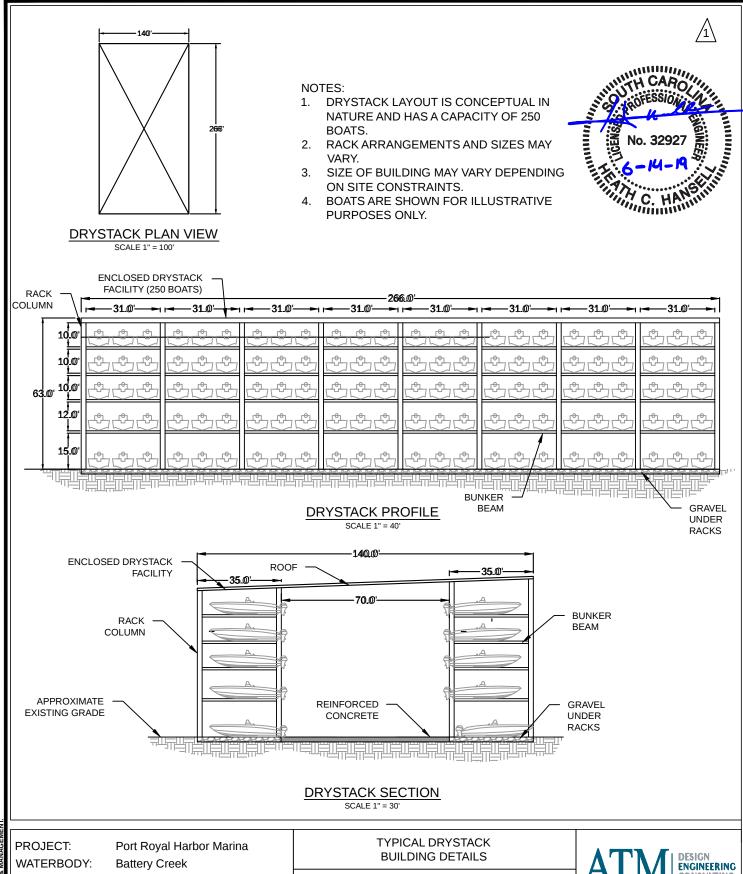
Project Address: 601 Paris Ave, Port Royal, SC

Parcel ID: R113 010 000 0075 0000



24-May-2019 SHEET 16

I Royal Marina FeasibilinyDWG100-Permit. Plans 18-3194-Port, Royal. Permit. Plans REVOT.dwg (1.6) 6/1/4/19
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Feasibili/JDWG/00-Permit, Plans118-3194-Port, Royal, Permit, Plans, REV07-dwg (17) 6/14/19
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COUNTY: Beaufort
STATE: South Carolina
LATITUDE: 32°22'21.32"N
LONGITUDE: 80°41'35.70"W

Requested by: Grey Ghost Properties LLC

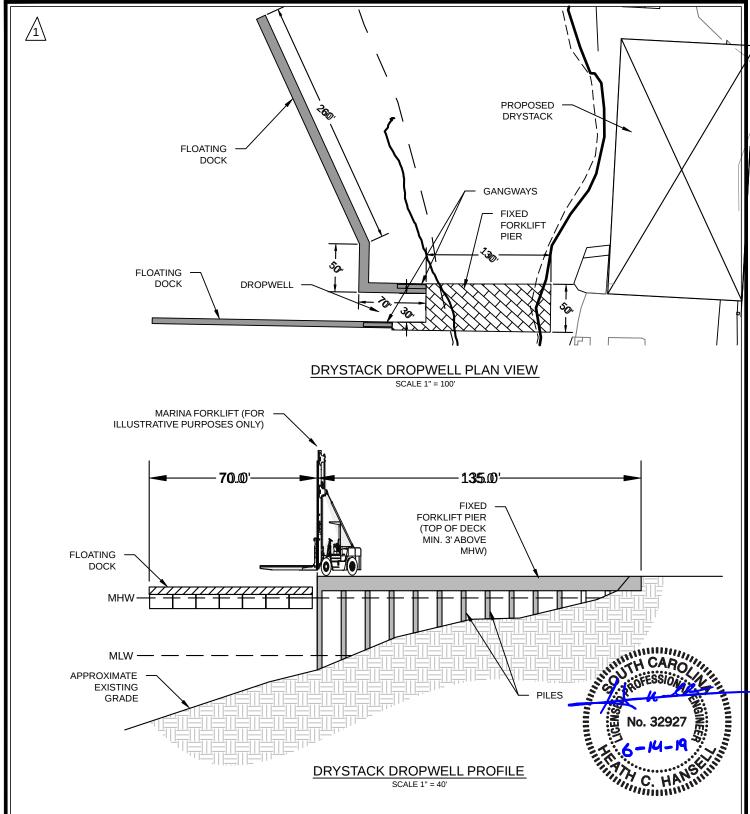
Project Address: 601 Paris Ave, Port Royal, SC

Parcel ID: R113 010 000 0075 0000



ADDED 14-June-2019

SHEET 17



PROJECT: Port Royal Harbor Marina

WATERBODY: **Battery Creek** COUNTY: Beaufort STATE: South Carolina LATITUDE: 32°22'21.32"N LONGITUDE: 80°41'35.70"W

TYPICAL DRYSTACK LAUNCH & QEUE DETAILS

Requested by: Grey Ghost Properties LLC

Project Address: 601 Paris Ave, Port Royal, SC

Parcel ID: R113 010 000 0075 0000



SHEET 18